

A regular meeting of the Michigan State Employees' Retirement System Board was held at the State Secondary Complex, General Office Building, First Floor, Conference Room A, Lansing, Michigan, on December 13, 2007. The following members, staff and observers participated:

Members Present: David Dekker, Employee Member
 Douglas Drake, Retiree Member
 George Elworth representing the Attorney General
 Calvin Frappier, Retiree Member
 Ronald Jones, representing the State Treasurer
 Daniel McLellan, representing the Director of Civil Service
 Craig Murray, representing the Deputy Auditor General
 John Schoonmaker, representing the Commissioner of the
 Office of Financial and Insurance Services

Staff Present: Phil Stoddard, Executive Secretary
 Terry Rideout, Acting Recording Secretary

Others Present: Thomas Schimpf, of the Attorney General's Office; Christopher Jacobson, of the Department of Treasury; Janet Ketchum, of the Retirement Coordinating Council; Laurie Hill; Tim McCormick, Kathy Tober and Raini Majeske, of the Office of Retirement Services, and visitor Cara Frappier

Call to Order

Chair Douglas Drake called the meeting to order at 1:33 p.m.

Excusing of Absent Members

John Schoonover moved, Daniel McLellan supported, to excuse the absence of Harry Posner. The motion carried unanimously.

Approval of Agenda

Daniel McLellan moved, David Dekker supported, to approve the revised agenda as presented. The motion carried unanimously.

Approval of Minutes

Daniel McLellan moved, John Schoonover supported, to approve the meeting minutes of September 20, 2007, as presented. The motion carried with Calvin Frappier abstaining.

Disability Retirement Applications

Non-Duty Disability Retirement Applications

Daniel McLellan moved, Ronald Jones supported, to approve the non-duty disability applications 2, 4 – 14, 17 and 19, as presented in the Supplemental Information to the Agenda, 7A, except applications 1, 15, 16 and 18; application 3 was removed from the agenda. The motion carried unanimously.

Following discussion regarding re-examination after one year, David Dekker moved, Calvin Frappier supported, to approve the non-duty disability application 1, as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

Following discussion regarding social security disability, David Dekker moved, Daniel McLellan supported, to approve the non-duty disability application 15, as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

Following discussion, Calvin Frappier moved, Ronald Jones supported, to table application 16 allowing for staff to provide the Board additional information. The motion carried unanimously.

Following discussion, David Dekker moved, Daniel McLellan supported, to approve the non-duty disability application 18, as presented in the Supplemental Information to the Agenda 7A. The motion carried unanimously.

Duty Disability Retirement Applications

Daniel McLellan moved, David Dekker supported, to approve the duty disability applications 1- 2, as presented in the Supplemental Information to the Agenda, 7B. The motion carried unanimously.

Non-Duty Disability Re-examination Case

George Elworth moved, Daniel McLellan supported, to approve the non-duty disability re-examination case 1 – 1, as presented in the Supplemental Information to the Agenda, 7C. The motion carried unanimously.

Returning Disability Retirement Applications

Daniel McLellan moved, George Elworth supported, to approve the returning applications 1 – 2, as presented in the Supplemental Information to the Agenda, 7D. The motion carried unanimously.

Administrative Hearings

Proposal for Decision – Docket 2006-478

The Board considered the case materials. Daniel McLellan moved, Craig Murray supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated September 13, 2007, including the proposed Findings of Fact and Conclusions of Law, except for the changes requested by Respondent, and deny duty disability retirement benefits, but grant non-duty disability retirement benefits to

Petitioner, using the form of decision and order offered by Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2007-1088-SERS

The Board considered the case materials. Daniel McLellan moved, David Dekker supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated September 20, 2007, including the proposed Findings of Fact and Conclusions of Law except for the changes requested by Respondent, and deny duty and non-duty disability retirement benefits to Petitioner, using the form of decision and order offered by Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2006-AH053

The Board considered the case materials. Daniel McLellan moved, David Dekker supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated September 7, 2007, including the proposed Findings of Fact and Conclusions of Law except for the changes requested by Respondent, and deny duty and non-duty disability retirement benefits to Petitioner, using the form of decision and order offered by Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2007-AH044

The Board considered the case materials. Daniel McLellan moved, John Schoonover supported, that the Board deny Petitioner's admission of Exhibit A, the letter from Dr. Armstrong dated October 9, 2007. The motion carried unanimously.

Daniel McLellan moved, Calvin Frappier supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated September 13, 2007, including the proposed Findings of Fact and Conclusions of Law except for the changes requested by Respondent, and require Petitioner to repay the overpaid retirement benefits with interests, using the form of decision and order offered by Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2007-AH027

The Board considered the case materials. Daniel McLellan moved, Ronald Jones supported, that the Board adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated July 17, 2007, including the proposed Findings of Fact and Conclusions of Law except for the changes requested by Respondent, and deny Petitioner duty and non-duty disability retirement benefits, using the form of decision and order offered by Respondent. The motion carried unanimously.

Unfinished Business

Final Decision and Order – Docket 2007-2-SERS

The Board reviewed the Findings of Fact and Conclusions of Law as defined in the proposed Final Decision and Order denying Petitioner's request for duty disability retirement benefits. Daniel McLellan moved, Calvin Frappier supported, to adopt the proposed Order as presented. The motion carried unanimously.

Request for Rehearing – Docket 2006-AH076

The Board considered the case materials. Daniel McLellan moved, Calvin Frappier supported, to dismiss, for lack of jurisdiction, Petitioner's request for rehearing on his request to use the Reciprocal Retirement Act to obtain the service credit needed to be eligible for health care benefits under MCL 38.68. The motion carried unanimously.

Proposed Settlement Agreement

The Board considered the case materials. David Dekker moved, Calvin Frappier supported, to approve the settlement agreement for the State Employees' Retirement System and authorize Phillip Stoddard to execute the agreement on behalf of the system. The motion carried unanimously.

Legislative Report

Executive Secretary Phil Stoddard provided the Board with an update on HB 5545.

Board Comment

Chair Douglas Drake appointed George Elworth and Calvin Frappier to serve as a Nominating Committee in relation to the January officer elections.

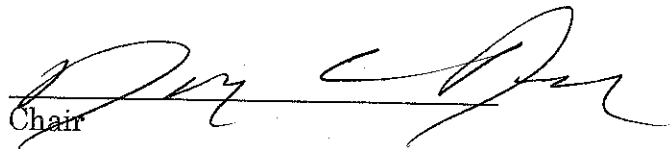
Public Comment


No comments were received.

Adjournment

Daniel McLellan moved, John Schoonover supported, to adjourn the meeting at 2:15 p.m. The motion carried unanimously.

OFFICIAL MINUTES


Chair


Executive Secretary